



**CITY COUNCIL RESOLUTION**

**Regular Council Meeting**

**Agenda Number:** 11.1.12  
**Title:** By-law 2022-24 (Regulations) Waste and Recycling  
**Date:** Monday, January 31, 2022

---

**Moved by:** Councillor S. Hollingsworth  
**Seconded by:** Councillor M. Scott

Resolved that By-law 2022-24 being a by-law for the management of waste and recycling in the City of Sault Ste. Marie be passed in open Council this 31st day of January, 2022.

**Carried**

**Tied, Defeated**

**Defeated**

**Officially Read and Not  
Dealt With / Postponed**

---

Christian Provenzano

**THE CORPORATION OF THE CITY OF SAULT STE. MARIE**

**BY-LAW 2022-24**

**FOR THE CONTROL AND MANAGEMENT OF WASTE AND  
RECYCLING**

# TABLE OF CONTENTS

## Contents

<b>1.0</b>	<b>Definitions</b> .....	<b>3</b>
<b>2.0</b>	<b>Overview of Service Types</b> .....	<b>7</b>
<b>3.0</b>	<b>Waste Collection Service</b> .....	<b>8</b>
1)	Residential Curbside Collection.....	8
2)	Multi-Family Curbside Collection (less than four (4) units) .....	10
3)	Multi-Family Collection (five (5) units or more).....	10
4)	ICI Sector Curbside Collection (four (4) units or less) .....	11
5)	ICI Sector Private Collection .....	12
<b>4.0</b>	<b>Storage, Maintenance and Damage of Curbside Roll-out Carts</b> .....	<b>12</b>
<b>5.0</b>	<b>General Provisions for Waste Collection</b> .....	<b>13</b>
<b>6.0</b>	<b>Recycling Collection Services</b> .....	<b>13</b>
<b>7.0</b>	<b>Private Recycling Collection</b> .....	<b>14</b>
<b>8.0</b>	<b>Collection Routes – Waste and Recycling</b> .....	<b>14</b>
<b>9.0</b>	<b>Collection Times – Waste and Recycling</b> .....	<b>14</b>
<b>10.0</b>	<b>Fees</b> .....	<b>14</b>
<b>11.0</b>	<b>Enforcement Agency</b> .....	<b>15</b>
<b>12.0</b>	<b>Application and Enforcement</b> .....	<b>15</b>
<b>13.0</b>	<b>Offences and Penalties</b> .....	<b>16</b>
<b>14.0</b>	<b>Validity</b> .....	<b>16</b>
<b>15.0</b>	<b>Interpretation</b> .....	<b>16</b>
<b>16.0</b>	<b>Conflict</b> .....	<b>16</b>
<b>17.0</b>	<b>By-Laws Repealed</b> .....	<b>16</b>
<b>18.0</b>	<b>Enactment</b> .....	<b>16</b>

**REGULATIONS:** A By-Law for the management of waste and recycling in the City of Sault Ste. Marie.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to Sections 10(1) allowing a municipality to provide a service desirable for the public, 74 and 76 of the *Municipal Act, S.O. 2001, c 25*, and amendments thereto ENACTS as follows:

## **1.0 Definitions**

In this By-Law.

- 1) **Ashes** – the residue including soot, of any kind of fuel or waste after consumption by fire.
- 2) **Automated cart collection** – a type of collection truck that allows the operator to control a mechanical arm that can pick up and empty a Roll-out cart without manually moving the refuse.
- 3) **Bag Tag** – a purchasable municipal identification tag that labels refuse that is in excess of the curbside limit. A bag tag must be clearly visible for collectors. A tagged bag may be placed within a Roll-out cart.
- 4) **City** – the Corporation of the City of Sault Ste. Marie.
- 5) **Collector** – a City employee or person under contract to the City to collect waste or recyclables under the provisions set forth in this By-Law.
- 6) **Commercial Waste Container** – a waste container with or without casters that serves the ICI sector of the community of this By-Law.
- 7) **Compacted Waste** – garbage that has been compressed by mechanical or other means.
- 8) **Compostable Material** – organic material which through the process of decomposition, becomes dark earthy material that can be returned to the soil and includes the following:
  - a) leaf and yard waste including grass clippings, leaves and garden waste;  
and
  - b) vegetable waste material.
- 9) **Curbside Recyclables** – recyclable material that is accepted in the City's curbside recycling program, and includes:
  - a) **Containers (Blue Lid):** steel cans, aluminum cans, glass bottles and jars, polyethylene plastic commonly referred to as #1 PETE plastic containers, high-density polyethylene commonly known as #2 HDPE plastic

containers, aluminum food and drink containers and all other containers when accepted in the recycling program.

- b) **Paper and Fibre (Grey Lid)**: fibre, including newspapers, flyers, magazines, catalogues, boxboard, cardboard boxes, paper cartons, milk cartons, all paper products, hard and soft cover books, and all other products when included in the program.
  
- 10) **Deputy CAO** – means Deputy Administrative Officer of Public Works and Engineering Services or his/her designate.
  
- 11) **Director** – the Director of Public Works or his/her designate.
  
- 12) **Door Hanger** – an educational tool left on an occupant's door when they are not home, identifying the waste management issue and the potential resolve.
  
- 13) **Dwelling** – a place of residence with its own sleeping, cooking, eating and sanitary facilities for persons, and includes a single family home and apartment units, tenement or other multiple dwellings.
  
- 14) **Hazardous and Special Products or HSP** – any and all residential hazardous waste originating from a place of residence, including but not limited to: caustics, acids, aerosols, used motor oil, household batteries, automotive batteries, poisons, pesticides, paint, reactive waste and sharps (needles), fluorescent lights, propane tanks, foam insulation tanks, helium tanks.
  
- 15) **Household Special Product (HSP) Depot** – the Hazardous and Special Products Depot which collects and packages HSP located at the Fifth Line Landfill site property.
  
- 16) **ICI Sector** – industrial, commercial or institution premises.
  
- 17) **ICI Recyclables** – any recyclables resulting from the operation and maintenance of any industrial, commercial or institutional premises.
  
- 18) **ICI Waste** – any waste resulting from the operation and maintenance of any industrial, commercial or institutional premises.
  
- 19) **Medical Waste Exemption Tag** – tags that may be applied for by residents for extra refuse generated due to a medical reason. Application must include approval from a caregiver or doctor.
  
- 20) **Multi-Family Dwelling** – any dwelling having more than one (1) unit.

21) **Non-collectible Recyclables** – recyclable material that is not collected curbside and includes the following:

- a) metal, including shelving, automotive parts, cable and all clean metal products and large appliances;
- b) old corrugated cardboard (OCC) in quantities above the allowable curbside limits as set out in Section 6 of this By-Law;
- c) wood products, including all clean wood products, wood building materials, tree branches and trees; and
- d) WEE products: electronics, computer equipment, all household hazardous waste, including batteries.

22) **Non-collectible Waste** – waste that is not collected curbside and includes the following:

- a) explosives, dynamite caps, ammunition, fire arms, and any other highly flammable or volatile substances of any nature whatsoever;
- b) liquid or gaseous wastes;
- c) biomedical waste including waste generated by human health and residential materials such as needles, or syringes with needles, scalpels, blades, disposable scissors, suture equipment, stylets and trocars, broken test tubes, and glass that may contain human blood, fluids and tissues with pathogens that could cause harm to personnel handling them;
- d) organic material, including wet waste and animal feces which has not been drained of all liquids and wrapped;
- e) carcasses or parts thereof of any animal or other creature, except kitchen and table waste from a household;
- f) any materials which have become frozen to a waste container and cannot be removed therefrom by shaking at the time of collection;
- g) construction materials including broken plaster, lumber, broken concrete, excavated material or other waste resulting from the construction, alteration, repair, demolition or removal of any building or structure;
- h) discarded trucks, automobiles and other vehicles and the parts thereof, or accessories thereto, including tires and rims;
- i) septic tank pumping's, raw sewage sludge and industrial sludge;
- j) trees and stumps, including tree branches, creosote treated timbers or poles;
- k) asbestos;
- l) sawdust or wood shavings in quantities of more than 0.1 cubic meter;
- m) petroleum soaked rags;
- n) industrial and hazardous waste as describe in the Regulations to the Environmental Protection Act, R.R.O. 1990, Reg. 347;
- o) radioactive waste;

- p) PCB waste as defined in the Regulations to the *Environmental Protection Act R.R.O. 1990, Reg. 362*;
- q) ashes;
- r) household special waste;
- s) sharps;
- t) household or office furniture;
- u) mattresses; or
- v) road salt and sand.

23) **Owner** – shall include:

- a) the registered owner of the land on which the building is situated;
- b) the owner of a building;
- c) the person managing or receiving the rent of the land or the building, or who would receive the rent if the land and building were let, whether on the person's own account or as agent or trustee or receiver of any other person;
- d) a vendor of the building under an agreement for sale who has paid any municipal taxes thereon after the effective date of the agreement;
- e) the person for the time being receiving installments of the purchase price if the building were sold under an agreement for sale;
- f) a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the building;
- g) an owner as defined by the *Condominium Act 1998, SO. 1998, C. 19*, as amended, and any successor legislation; and
- h) any person having care and control of the land or building.

24) **Premises** – any building, place, dwelling place, room or rooming-house, apartment, hotel, motel, restaurant, shop, store, office, shopping centre, parking lot, and any other property which is under separate occupation or control.

25) **Person** – has its regular meaning and includes a business or corporation.

26) **Waste Refusal Notice** – a public education flyer placed on refuse identifying refuse that cannot be collected due to various reasons including: refuse in excess of allowable limits, oversized bags, overweight containers, oversized containers, improper container use or non-conformance to the management of waste and recycling by-law.

27) **Residential Dwelling** – any **legal conforming** individual structure that is used as living quarters, including a condominium unit, cooperative unit, group home, mobile home, or trailer.”

- 28) **Resource Recover** – the extraction of useful materials or other resources from things that might otherwise be waste, including through reuse, recycling, reintegration, regeneration or other activities.
- 29) **Roll-out Cart** – City-approved and supplied (approximately) 240 litre or 360 litre wheeled refuse containers complete with a lid and nestable catch bar required for proper automated dumping function. Roll-out cars are identified to a civic address.
- 30) **Sharps** – infection control sharp objects (e.g. needles or syringes with needles).
- 31) **Street** – any public highway, road, street, lane, alley, square, thoroughfare, walk or way within the City of Sault Ste. Marie and maintained as a thoroughfare by the City;
- 32) **Unit** – any self-contained apartment, residence or business existing in a premises;
- 33) **Waste** – all non-recyclable and non-compostable material resulting from the operation and maintenance of any premises.
- 34) **WEE** – all electronic products including televisions, radios, stereo equipment, computers, monitors, printers and anything that contains electronic components.
- 35) **Wet Waste** – the undrained refuse resulting from the operation of any premises.

## 2.0 Overview of Service Types

- 1) The provision of waste management services by the City of Sault Ste. Marie includes the following means:
  - a) Residential Curbside Collection – for “single” family residential dwellings;
  - b) Multi-family Curbside Collection – for “multi-family” dwellings consisting of four (4) units or less; and
  - c) ICI Curbside Collection – those in the ICI sector adequately serviced by the limits established for the multi-family curbside collection program.
- 2) Private waste and recycling collection occurs for:



- a) Multi-family container collection for residential dwellings greater than four (4) units; and
- b) ICI container collection for those in the ICI sector not within the allowable limits of curbside collection (ie. cannot be served by four (4) Roll-out carts.)

### **3.0 Waste Collection Service**

**1) Residential Curbside Collection** – Residential dwellings shall be provided with one (1) Roll-out cart with a capacity of 240 litres. The following rules shall apply:

**i.) Preparing garbage for collection:**

- a) The owner of any dwelling served by curbside collection shall use Roll-out cart(s) and shall only use tagged bags for “extra” waste.
- b) The owner shall ensure that all material put out for collection meets the definition of waste and does not contain any of the “non-collectible waste” items per Section 1(22) of this By-law.
- c) Any “non-collectible waste” is the responsibility of the owner and the owner shall find proper means of disposing of non-collectible waste.
- d) The owner shall not exceed the gross weight limit of the cart of 200 lbs for the 240 litre Roll-out carts.
- e) The owner shall place bag tags on any waste bags beyond the capacity of the Roll-out cart.
- f) The owner shall ensure that all plastic bags containing waste are securely tied or otherwise sealed when set out for collection.
- g) The owner shall ensure that all plastic bags used for extra waste shall be a minimum of 1.5 mils in thickness and no less than 66X90 centimetres, nor greater than 76X98 centimetres when empty and does not exceed 20 kilograms in weight when filled.
- h) The owner shall place tagged waste bags adjacent to the Roll-out cart in an accessible manner to identify that they are for collection.
- i) The owner shall not place tagged bags or any other items on top of the Roll-out cart.
- j) The owner shall identify the property address on the Roll-out cart by using a permanent marker.
- k) Roll-out carts are registered to a property by a serial number and the current owner shall not remove it from the registered address upon moving.
- l) The owner shall ensure that the Roll-out cart lid is fully closed once loaded with collectible waste.
- m) Roll-out carts will not be collected if the lid is open due to overfilling or extra bags that prevent the lid from closing.

- n) The owner shall ensure that the lid is clear of any water or liquid or ice that impedes automated collection.
- o) The owner shall ensure that any items likely to interfere with the proper automated emptying of a Roll-out cart are properly broken down and contained within a plastic bag of 1.5 mils in thickness, or other means, as to not interfere with or remain entangled in the automated arm and its operations or remain stuck or lodged in a Roll-out cart.
- p) The owner shall not use cardboard boxes as waste containers.
- q) The owner shall ensure all waste is drained of all liquids and securely wrapped and deposited in the City approved Roll-out cart.
- r) A person shall not place in a Roll-out cart, any sharp objects, broken glass, and cutlery without it being securely wrapped with materials, so that no sharp object or broken glass can cause injury.

**ii.) Where to place the Roll-out Cart**

- a) The owner shall place the Roll-out carts with the wheels and handle facing the dwelling for automated collection arm to work properly.
- b) The owner shall place the Roll-out cart curbside, not on the street, or obstructing sidewalks or laneways and in a manner that does not impede accessibility for pedestrians, persons requiring mobility devices, or traffic.
- c) Unless determined by the Director of Public Works or their designate that another area is more appropriate, the following is the location where the owner shall place the Roll-out cart based on the below street design:
- d) The owner shall ensure waste containers are accessible for collection and without any obstructions including but not limited to, parked vehicles, snow banks, portable basketball nets, utility poles, lamp posts, gas meters, bollards, utility transformers, cable TV enclosures, guard rails and sign posts.
- e) The owner shall ensure the Roll-out cart is placed at ground level with a minimum accessible distance of one (1) metre between the Roll-out carts. This distance is necessary to allow adequate room for automated collection arms to function properly. Roll-out carts shall not be picked up if not accessible or placed with adequate space.
- f) The owner shall ensure the Roll-out cart is not placed on elevated platforms or steep slopes, including snow banks greater than one foot.
- g) The owner shall shovel an opening in the snow bank where the cart can be properly placed. It is recommended to place recycling or

waste carts on opposite sides of the driveway opening for premises with multiple carts on the day of collection.

- h) The owners shall ensure that a Roll-out cart is not placed under low hanging utility, phone, or cable TV wires.
- i) The owner shall clean up any waste that has been spread by wind, birds or other vermin or animals that was put out by the owner for waste collection.

**iii.) Special Waste (Leaf and Yard Waste)**

- a) A person shall place all leaf and yard special waste collection as noted in Subsection 9(4) in an approved paper biodegradable bag that does not exceed 20 kilograms in weight.
- b) A person shall ensure the leaf and yard waste bags do not contain: flower pots, hanging flower pots, rocks, gravel, sand, bricks, clothes lines, and gardening tools.
- c) The City shall collect only sawdust that has been securely wrapped in small bundles. The small bundles shall be placed in the waste receptacle so that the material is completely surrounded by other refuse.
- d) The City shall collect branches only in bundles not exceeding 100 centimetres in length, 60 centimetres in diameter and weighing 20 kg or less. Each bundle shall be securely bound using light rope or twine.

**2) Multi-Family Curbside Collection (less than four (4) units)**

Multi-family dwellings with less than four (4) units shall use approved (240 litre or 360 litre) Roll-out carts as supplied by the City for curbside waste collection. The determination of the size of Roll-out carts provided to each dwelling shall be the Director of Public Works or their designate and shall consider the needs of the dwelling, available space and recycling program participation.

Allowable gross weight of the Roll-out cart shall be 200 lbs. for the 240 litre carts and 300 lbs. for the 360 litre Roll-out cart.

- a) Paragraph 3(1) and all subsection thereunder are applicable to the owner of a multi-family dwelling of four (4) or less served by curbside collection with the appropriate modification in regards to weight, should a 360 litre Roll-out cart be dispensed to the Multi-family dwelling.

**3) Multi-Family Collection (five (5) units or more)**

As of January 1, 2021, all Multi-family dwellings with five (5) units or more, are considered “businesses” and provisions for waste management shall be the

responsibility of the Owner as in the case of the ICI sector. The cost of the container rental or purchase and the owner establish collection schedule, shall be determined by the Owner.

Any premise consisting of dwelling units abutting one another and sharing a common building wall and arranged in a linear manner along a municipally owned right-of-way will be reviewed on an individual basis dependent on accessibility for Roll-out carts if multi-family containers cannot be used.

Any premises consisting of dwelling units abutting one another and sharing a common building wall and arranged in a linear manner along a privately owned right-of-way will be collected privately by a contractor using a container purchased by the owner. This shall include any strip motels which are considered a multi-unit commercial property.

Despite the above, at the sole discretion of the Director of Public Works or their designate, approval may be given to a multi-family premise of five (5) units or more to be served by curbside collection with the number of Roll-out carts agreed upon mutually by the building owner and the Director considering waste volumes and space allotment. The premise must have access to a public right of way and the Roll-out carts must be placed on a public road. The maximum number of carts shall not exceed four (4) regardless of the number of building units. Any waste in excess of the Roll-out carts would require the purchase of bag tags for collection.

- a) Should the above discretion be used, the Roll-out carts are subject to Paragraphs 3(1) and all subsections thereunder are applicable to the owner of a Multi-family of five (5) or more serviced by curbside collection with the appropriate modification in regards to weight, should a 360 litre Roll-out cart be dispensed to the Multi-family dwelling.

#### **4) ICI Sector Curbside Collection (four (4) units or less)**

Any ICI Sector premise with four (4) units or less will be provided standard curbside waste and recycling collection and supplied Roll-out carts of a size determined by the Director of Public Works or their designate to be appropriate to serve the premises' needs and shall consider space and recycling program participation.

- a) Paragraphs 3(1) and all subsections thereunder are applicable to the owner of an ICI Sector served by curbside collection with the appropriate modification in regards to weight should a 360 litre Roll-out cart be dispensed to the Multi-family dwelling.

## **5) ICI Sector Private Collection**

ICI Sector premises with five (5) units or more require their own private waste collection services. All costs and fees associated with private waste collection shall be the responsibility of the ICI owner.

- a) ICI Sector and Multi-family premises using commercial waste containers shall place waste in the commercial waste containers, unless otherwise approved.
- b) The pick-up area shall be kept clear of ice, snow, motor vehicles, bollards, utility poles and transformers, cable TV enclosures, or any other obstruction so that convenient access is provided for the collector. Collection areas must not be under low hanging utility, phone or cable TV wires.
- c) Commercial waste containers shall meet the requirements of the City Zoning By-Law 2015-150, as amended, and any site plan agreements that apply.
- d) Commercial Waste containers shall be covered as to prevent the scattering of loose waste, the ingress and egress of flies, and shall be kept clean, sanitary and free from rodents, rats, vermin, insects, scavenging animals, maggots and odours at all times.

## **4.0 Storage, Maintenance and Damage of Curbside Roll-out Carts**

- 1) A person shall store a Roll-out cart in the garage, backyard, outdoor storage unit, covered porch, balcony or side of the premise until the designated collection day arrives. It is the responsibility of the owner or occupant to ensure the security of the Roll-out cart.
- 2) A person shall not take extra refuse from one civic address and place it at another civic address.
- 3) A person shall ensure that no curbside waste bag or Roll-out cart contains bleach or other hazardous chemicals on its surface.
- 4) A person shall ensure that all waste from the preparation of food shall be drained and thoroughly wrapped before being placed in a Roll-out cart or waste bag.
- 5) A person shall store all waste bags in a manner which protects them from domestic and other scavenging animals.
- 6) Roll-out carts that are damaged as the result of normal wear and tear, including but not limited to, broken lid, broken wheel or axle will be replaced or repaired at no charge to the Owner.
- 7) Roll-out carts damaged by City snow removal equipment will be replaced or repaired at no charge to the Owner if determined by the Director of Public Works or their designate that the damage resulted notwithstanding the Owner adhering to all required provisions of this by-law.
- 8) If at the discretion of Director of Public Works or their designate, the damage is determined to be the result of abuse, there will be a charge to the owner for the cost of the repair or replacement of the Roll-out cart, if unrepairable.

- 9) The cost to the Owner for a replacement Roll-out cart shall be as noted in the annual update to the User Fee By-law.

## **5.0 General Provisions for Waste Collection**

The City shall not be required to collect waste:

- 1) that is defined as non-collectible waste in Subsection 1(22) of this By-law;
- 2) that is generated from the Multi-family premises with five (5) units or more and the ICI Sector with five (5) units and more, unless otherwise approved;
- 3) where, in the opinion of the Director of Public Works, the premise is unsafe or the Roll-out cart(s) are in a difficult location for collection; or
- 4) where the Roll-out carts at curbside are in excess of the limits set out in Section 3(1) of this By-law and the extra bags do not bear a "bag tag";
- 5) The Director of Public Works or their designate has the authority to make a final determination at its discretion as to the proper type of collection method to be used by the Owner of the premises.
- 6) All non-collectible waste must be disposed of in accordance with all provincial and municipal legislation.

## **6.0 Recycling Collection Services**

All residential, IC&I and multi-family buildings that receive standard curbside waste collection must actively recycle using the curbside program. Any person not actively recycling shall not receive waste collection.

- 1) Dwellings served by curbside waste collection will be provided one (1) recycling Roll-out cart by the contractor.
- 2) Should additional Roll-out carts be required by a dwelling, the owner must purchase additional carts that will be collected by the Contractor.
- 3) A person shall only put out three (3) bundles of cardboard per dwelling on any given scheduled collection day and shall ensure that any cardboard set out for collection is securely tied in bundles not exceeding 60 centimetres long X 60 centimetres wide X 30 centimetres high and tied with heavy cord or twine.
- 4) Curbside recycling Roll-out carts need only to be placed out for collection when full or at least half full.
- 5) Curbside recycling Roll-out carts will be rejected if they contain refuse or contaminants, only specified recycling material will be accepted.
- 6) A person shall ensure that the products placed in the recycling cart are collectible products as determined in this By-Law and that they are clean, with any bottle caps removed.
- 7) A person shall ensure that other recyclable items such as wood products, brush and metal be brought to the landfill for recycling.
- 8) Section 4, and paragraphs 3(1) (i) j to o and 3(1) ii are applicable to all residential, IC&I and multi-family buildings that receive curbside recycling

collection with the appropriate modification in regards to referencing recycling roll-out cart(s).

## **7.0 Private Recycling Collection**

Any of the ICI sector or multi-family units that are not served by curbside waste collection must also arrange for private collection of recyclable materials and is solely responsible for those costs.

- 1) Subsection 3(5) of this By-law, respecting private waste collection, shall be adhered to by the owner with appropriate modification in regards to referencing recycling collection.

## **8.0 Collection Routes – Waste and Recycling**

The Director of Public Works or their designate shall direct that the City be divided into as many collection routes as necessary for the convenient, efficient collection of waste and recyclables.

## **9.0 Collection Times – Waste and Recycling**

- 1) A person shall ensure that curbside waste and recycling Roll-out carts are placed curbside by 7:00 a.m. local time on the day of collection.
- 2) A person shall ensure that the Roll-out carts shall not be left out later than 7:00 p.m. local time on the day of collection.
- 3) A person shall comply with all Municipal by-laws including the Noise By-law.
- 4) The City will determine and announce the time for placing items for special collection, such as the annual determination of the leaf and yard waste collection program and is subject to seasonal and weather variations.
- 5) The City reserves the right to delay or suspend waste collection due to inclement weather. All efforts will be made to reschedule collection or adjust allowable limits to accommodate delayed collection. Roll-out carts must not be left in positions that will obstruct winter operations of sidewalks and roadways.

## **10.0 Fees**

Where a violation of this By-law is not remedied by the Owner, they shall be held liable for all fees and expenses incurred as a result of the remedy.

Any fee required by or described in this By-law shall be as set out in the Annual User Fee By-law, as updated from time to time.

Where waste or recyclables are not collected for any reason and are left to cause an untidy or unsanitary condition, the Deputy CAO shall make a written demand

to the owner requesting removal. Should the owner fail to perform the work necessary to remove the waste, it will be performed by the City, and failing payment by the owner within ten (10) days after notice in writing of the cost of such work, the cost will be recovered in the same manner as Municipal taxes.

## **11.0 Enforcement Agency**

The Sault Ste. Marie Police Service, the City's Municipal By-law Enforcement Officer(s), a special duty officer, or a designate, shall be responsible for the enforcement of this by-law.

## **12.0 Application and Enforcement**

This by-law shall apply to any and all property within the geographical limits of the City of Sault Ste. Marie.

- 1) If a Roll-out cart is not collected, a "Waste Refusal Notice" may be affixed to the cart explaining the problem as a waste management educational tool. Residents must resolve the problem for the cart to be collected on the next scheduled collection day. Any excess waste due to rejection, must be tagged or brought to the City landfill by the owner at their expense.
- 2) If a waste management problem is repetitive, a person may receive a visit by a designate of the Director of Public Works for explanation of the problem and discussion of a resolution. If the resident is not home a "Door Hanger" educational tag may be placed on the resident's door explaining desired waste management problem and potential resolve.
- 3) An Officer may issue a written order or direction requiring that a person comply with the provisions of this By-Law.
- 4) An Officer may enter upon any land or structure at any reasonable time for the purposes of carrying out an inspection to determine whether or not:
  - a) the provisions of this By-Law are being complied with; or
  - b) an order under this By-Law is being or has been complied with.
- 5) No person shall refuse to produce any documents or things required by an Officer in the exercise of a power or performance of a duty under this By-Law, and every person shall assist any entry, inspection, examination, or inquiry by an Officer.
- 6) No person shall knowingly furnish false information to an Officer.



### **13.0 Offences and Penalties**

Every person who contravenes a provision of this By-Law is guilty of an offence and is liable upon conviction to a penalty in accordance with the provisions of the *Provincial Offences act, R.S.O. 1990, c. P .33*, as amended.

### **14.0 Validity**

Should a court of competent jurisdiction declare a part or whole of any provision of this By-law to be invalid or of no force and effect, the provision or part is deemed severable from this By-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law so as to provide a minimum standard for the care and control of animals.

### **15.0 Interpretation**

In this by-law, unless the context otherwise requires, words importing the singular member shall include the plural and words importing the masculine shall include the feminine.

### **16.0 Conflict**

Where a provision of this By-law conflicts with the provision of another By-law, Act or Regulation in force within the City of Sault Ste. Marie, the provisions that establishes the higher standards shall prevail.

### **17.0 By-Laws Repealed**

By-Laws 2019-62 of the Corporation of the City of Sault Ste. Marie and any amendments made thereto, are hereby repealed.

### **18.0 Enactment**

This By-Law shall come into force and effect on the day that it is passed.

**PASSED in open Council this 31<sup>st</sup> day of January, 2022.**



---

**MAYOR – CHRISTIAN PROVENZANO**



---

**DEPUTY CITY CLERK – MADISON ZUPPA**